IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 24TH AUGUST 2006 / 2ND BHADRA 1928

Bail Appl..No. 5090 of 2006

CMP.3508/2006 of J.M.F.C., KAYAMKULAM
CRIME NO.427/2006 OF KAYAMKULAM POLICE STATION

.....

APPLICANT/ACCUSED

SADIQ, S/O.SAINULABDEEN,
AGED 28 YEARS, KUTTITHEKKATHIL VEEDU,
PULLIKKANAKKU MURI, KRISHNAPURAM VILLAGE,
FROM KALEECKAL KIZHAKKATHIL VEEDU,
PERINGALA MURI, KAYAMKULAM VILLAGE.

BY ADV. SRI.A.MOHAMMED

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5090/2006

DATED THIS THE 24TH DAY OF AUGUST, 2006

O R D E R

The petitioner is the fourth accused, in crime No.427/2006 of Kayamkulam Police Station. The offence alleged against him and others are under Sections 341, 326 and 308 IPC read with Section 34 IPC and also under Section 7 (b) read with Section 27(ii) of the Arms Act. The petitioner was arrested on 31.7.2006 and he remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. The learned Public Prosecutor submitted that three persons sustained injuries. One of them had bone deep choped injury of 8 X 20 cm, on the left lower arm extending from elbow to wrist and other person sustained full cut injury, on the right thumb and partial amputation of index finger of the left hand, and also skin deep incised injury transversely placed on the lateral side of the deltoid. The third person sustained incised wound of 5 X 2

cm, on bone deep mid exterior aspect.

3. The counsel for the petitioner submitted that the petitioner and another also sustained injuries and another counter case was registered against other persons, who are the injured, in crime No.427/2006 of Kayamkulam police station.

4. After considering the facts that are placed before me, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Kayamkulam.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Thursday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 31.8.2006 and thereafter, once in a month, between the same timings, till the final report is filed by the

Investigating Officer.

(c). The petitioner shall not leave the State of Kerala, until the final trial and disposal of the case.

(d). The petitioner shall not interfere with the investigation or tamper with the evidence or attempt to influence the witnesses or threaten them, while he is on bail.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs